



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Baumgart et al. ) Examiner: MERCEDES, D.E.  
Serial No.: 10/691,752 ) Art Unit: 2651  
Filed: October 22, 2003 ) Confirmation No.: 7757  
For: MAGNETIC RECORDING )  
DISK DRIVE WITH )  
ACTIVELY CONTROLLED )  
ELECTRIC POTENTIAL AT )  
THE HEAD/DISK )  
INTERFACE FOR WEAR AND )  
DURABILITY CONTROL )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**TERMINAL DISCLAIMER (37 CFR § 1.321(c))**  
**TO OBLIGATE PROVISIONAL OBVIOUSNESS-TYPE**  
**DOUBLE PATENTING REJECTION**

1. Name of Assignee: Hitachi Global Storage Technologies  
Netherlands B.V.

HSJ920030148US1  
Examiner: MERCEDES, D.E.

Address of Assignee: Locatellikade 1  
1076 AZ Amsterdam  
P.O. Box 75215  
1070 AE Amsterdam  
The Netherlands

2. The Assignee certifies to the best of Assignee's knowledge and belief that the Assignee has the entire right, title, and interest in and to the above-captioned Patent Application, and represent that the undersigned is authorized to sign on behalf of the above-listed Assignee.

3. On information and belief, a copy of an Assignment or other documents that evidences placement of title of the above-captioned Patent Application in the Assignee is recorded with the United States Patent and Trademark Office at:

Reel: 014633

Frame: 0313

Recorded on: October 21, 2003

A certificate under 37 CFR 3.73(b) is attached hereto.

4. Assignee disclaims the terminal part of any Patent granted on the above-captioned Patent Application, extending beyond expiration of the full statutory term of the U.S. Patent Application Serial No. 10/691,742, as presently shortened by any terminal disclaimer under 37 CFR § 1.321. Assignee hereby agrees that any Patent granted on the above-captioned Patent Application shall be enforceable only for and during such period, as the legal title to said Patent shall be the same as the legal title to U.S. Patent Application Serial No. 10/691,742. This agreement to run with

any Patent granted on the above-captioned Patent Application and to be binding upon the grantor, its successors, or assigns.

5. Assignee does not disclaim any terminal part of any Patent granted on the above-captioned Patent Application prior to the expiration of the full statutory term of Patent granted on U.S. Patent Application Serial No. 10/691,742 as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321(a), has all claims canceled by reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for a separation of legal title to the above-captioned Patent Application.

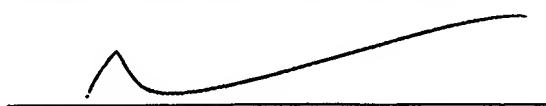
6. The attorney of record is empowered to sign on behalf of the Assignee.

7. Authorization is given to take any fee payment due under 37 CFR 1.20(d) from the Deposit Account 50-2587.

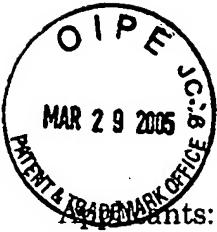
Respectfully submitted,

WAGNER, MURABITO & HAO LLP

Dated: 3/22/, 2005

  
John P. Wagner, Jr.  
Registration No. 35,398

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CERTIFICATE UNDER 37 CFR 3.73(b)

Applicants: Baumgart et al.

Application No.: 10/691,752 Filed: October 22, 2003

For: Magnetic Recording Disk Drive with Actively Controlled Electric Potential at the Head/Disk Interface for Wear and Durability Control

Name of Assignee: Hitachi Global Storage Technologies Netherlands B.V.

certifies that it is the assignee of the entire right, title and interest in the Patent Application identified above by virtue of either:

A.  An assignment from the inventors of the Patent Application identified above. The assignment was recorded in the Patent and Trademark office at Reel 014633, Frame 0313, or for which a copy thereof is attached.

B.  A chain of title from the inventor(s) of the Patent Application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
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3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
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Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the Patent Application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

HSJ920030148US1  
Examiner: MERCEDES, D.E.

Serial No.: 10/691,752  
Group Art Unit: 2651

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name: John P. Wagner, Jr. Title: Attorney

Signature:  Date: 3/22/05